

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference RCA89650	FOR FURTHER ACTION see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. PCT/US 00/ 17374	International filing date (day/month/year) 23/06/2000	(Earliest) Priority Date (day/month/year) 16/07/1999
Applicant THOMSON LICENSING S.A. et al.		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 2 sheets.



It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

- a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.



the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

- b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing :



contained in the international application in written form.



filed together with the international application in computer readable form.



furnished subsequently to this Authority in written form.



furnished subsequently to this Authority in computer readable form.



the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.



the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. ☐ **Certain claims were found unsearchable** (See Box I).

3. ☐ **Unity of invention is lacking** (see Box II).

4. With regard to the **title**,

the text is approved as submitted by the applicant.



the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,

the text is approved as submitted by the applicant.



the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the **drawings** to be published with the abstract is Figure No.

as suggested by the applicant.



because the applicant failed to suggest a figure.



because this figure better characterizes the invention.

1



None of the figures.

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

REC'D 16 OCT 2001

WIPO

14

Applicant's or agent's file reference RCA89650	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/US00/17374	International filing date (day/month/year) 23/06/2000	Priority date (day/month/year) 16/07/1999
International Patent Classification (IPC) or national classification and IPC H04N5/445		
Applicant THOMSON LICENSING S.A. et al.		



1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 5 sheets, including this cover sheet.

☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

 These annexes consist of a total of sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☒ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 14/02/2001	Date of completion of this report 12.10.2001
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized officer de Dieuleveult, A Telephone No. +49 89 2399 8946 

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. PCT/US00/17374

I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, pages:

1-7 as originally filed

Claims, No.:

1-12 as originally filed

Drawings, sheets:

1/1 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/US00/17374

☐ the drawings, sheets:

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes:	Claims	2-4,6-8,10-12
	No:	Claims	1,5,9
Inventive step (IS)	Yes:	Claims	
	No:	Claims	1-12
Industrial applicability (IA)	Yes:	Claims	1-12
	No:	Claims	

2. Citations and explanations
see separate sheet

VII. Certain defects in the international application

The following defects in the form or contents of the international application have been noted:
see separate sheet

V. Reasoned statement

1. Reference is made to the following documents:

D1: WO-A-99/16247 (SARNOFF CORP) 1 April 1999

D2: WO-A-99/35833 (AMIGA DEV LLC) 15 July 1999

2. Claim 1:

Document D1 discloses a method of performing a channel search in a video processing apparatus (10-70) having at least two video inputs (see tuners 10A and 10B) and coupled to a display device (see page 7, lines 10-11), said method comprising:

determining a currently selected video input of the at least two video inputs (see p. 5, l. 22-29);

detecting available channels from various possible channels on only the currently selected video input (see p. 6, l. 14-17); and

updating a channel list of channels available for the currently selected video input (see p. 15, l. 26-27).

Consequently, the claimed subject-matter is not new with respect to D1.

3. Claims 5 and 9:

The same objection likewise applies to these corresponding apparatus claims.

4. Claims 2-4, 6-8 and 10-12:

These dependent claims do not appear to comprise any additional features that would render their subject-matter new and inventive over the available prior art. In particular, having the two video inputs fed with different video streams is readily seen in D2 (see p. 6, l. 4-7).

Therefore, these claims fail together with the independent claims for lack of novelty, or at least for lack of inventive step.

VII. Certain defects

1. Although claims 5 and 9 have been drafted as separate independent claims, they appear to relate effectively to the same subject-matter and to differ from each other only with regard to the definition of the subject-matter for which protection is

sought and/or in respect of the terminology used for the features of that subject-matter. The aforementioned claims therefore lack conciseness. Moreover, lack of clarity of the claims as a whole arises, since the plurality of independent claims makes it difficult, if not impossible, to determine the matter for which protection is sought, and places an undue burden on others seeking to establish the extent of the protection.

Hence, claims 5 and 9 do not meet the requirements of Article 6 PCT.

In order to overcome this objection, it would appear appropriate to file an amended set of claims defining the relevant subject-matter in terms of a single independent claim in each category followed by dependent claims covering features which are merely optional (Rule 6.4 PCT).

2. Independent claims 1, 5 and 9 are not in the two-part form in accordance with Rule 6.3(b) PCT, which in the present case would be appropriate, with those features known in combination from the prior art (document D1) being placed in the preamble (Rule 6.3(b)(i) PCT) and with the remaining features being included in the characterising part (Rule 6.3(b)(ii) PCT).
3. The features of the claims are not provided with reference signs placed in parentheses (Rule 6.2(b) PCT).
4. Contrary to the requirements of Rule 5.1(a)(ii) PCT, the relevant background art disclosed in the document D1 is not mentioned in the description, nor is this document identified therein.
5. The vague and imprecise statement in the description on page 7, lines 23-29 implies that the subject-matter for which protection is sought may be different to that defined by the claims and should therefore be removed (see the PCT Guidelines PCT/GL/3 III, 4.3a).
6. Since there is only one single drawing, the texts "Corresponding ... views" and "the drawings ... to" on page 3, lines 22/23 and 27 should be deleted.

INTERNATIONAL SEARCH REPORT

International Application No
PCT/US 00/17374

A. CLASSIFICATION OF SUBJECT MATTER
IPC 7 H04N5/445 H04N5/00

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
IPC 7 H04N

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X A	WO 99 16247 A (SARNOFF CORP) 1 April 1999 (1999-04-01) page 4 -page 17	1,2,5,6, 9,10 3,4,7,8, 11,12
A	WO 99 35833 A (AMIGA DEV LLC) 15 July 1999 (1999-07-15) page 5, line 18 -page 13	1-12
A	US 5 727 060 A (YOUNG PATRICK) 10 March 1998 (1998-03-10) column 6, line 50 -column 27, line 48	1-12
A	US 5 629 733 A (MORRIS MARNEY ET AL) 13 May 1997 (1997-05-13) column 7, line 41 -column 34, line 48	1-12

☐ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

Special categories of cited documents:

- "A" document defining the general state of the art which is not considered to be of particular relevance
- "E" earlier document but published on or after the international filing date
- "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- "O" document referring to an oral disclosure, use, exhibition or other means
- "P" document published prior to the international filing date but later than the priority date claimed

- "T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- "&" document member of the same patent family

Date of the actual completion of the international search

19 September 2000

Date of mailing of the international search report

28/09/2000

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2
NL - 2280 HV Rijswijk
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,
Fax: (+31-70) 340-3016

Authorized officer

Materne, A

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/US 00/17374

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
WO 9916247	A	01-04-1999	AU 9585498 A	12-04-1999
			AU 9588198 A	12-04-1999
			AU 9588298 A	12-04-1999
			AU 9670698 A	12-04-1999
			AU 9778898 A	12-04-1999
			EP 1025537 A	09-08-2000
			EP 1025709 A	09-08-2000
			EP 1025697 A	09-08-2000
			EP 1025692 A	09-08-2000
			US 5933195 A	03-08-1999
			US 5987180 A	16-11-1999
			WO 9916011 A	01-04-1999
			WO 9916243 A	01-04-1999
			WO 9916242 A	01-04-1999
			WO 9916012 A	01-04-1999
			WO 9916253 A	01-04-1999
			WO 9916235 A	01-04-1999
WO 9935833	A	15-07-1999	AU 2102999 A	26-07-1999
US 5727060	A	10-03-1998	US 5353121 A	04-10-1994
			US 5151789 A	29-09-1992
			US 5532754 A	02-07-1996
			US 5808608 A	15-09-1998
			AT 191596 T	15-04-2000
			CA 2091160 A	11-03-1992
			DE 69132096 D	11-05-2000
			EP 0548286 A	30-06-1993
			EP 0969662 A	05-01-2000
			ES 2144402 T	16-06-2000
			JP 10208328 A	07-08-1998
			JP 6504165 T	12-05-1994
			WO 9204801 A	19-03-1992
			US 5479268 A	26-12-1995
			US 5790198 A	04-08-1998
			US 5619274 A	08-04-1997
			US 5949954 A	07-09-1999
			US 5479266 A	26-12-1995
			US 5809204 A	15-09-1998
			EP 0500680 A	02-09-1992
			EP 0874524 A	28-10-1998
			WO 9107050 A	16-05-1991
US 5629733	A	13-05-1997	AU 700527 B	07-01-1999
			AU 4502296 A	19-06-1996
			BR 9509826 A	30-09-1997
			CA 2204765 A	06-06-1996
			EP 0806112 A	12-11-1997
			JP 10510120 T	29-09-1998
			WO 9617473 A	06-06-1996

PATENT COOPERATION TREATY

EXPRESS EL 90232182US

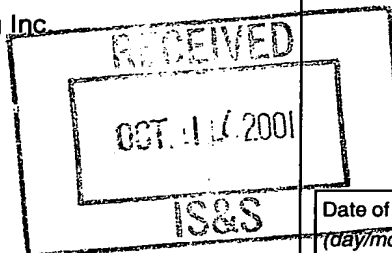
From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:

TRIPOLI, Joseph, S.
Thomson Multimedia Licensing Inc.
P.O. Box 5312
2 Independence Way
Princeton, NJ 08540
ETATS-UNIS D'AMERIQUE

KA/KA

PCT



NOTIFICATION OF TRANSMITTAL OF
THE INTERNATIONAL PRELIMINARY
EXAMINATION REPORT
(PCT Rule 71.1)

Date of mailing
(day/month/year)

12.10.2001

Applicant's or agent's file reference
RCA89650

IMPORTANT NOTIFICATION

International application No.
PCT/US00/17374

International filing date (day/month/year)
23/06/2000

Priority date (day/month/year)
16/07/1999

Applicant

THOMSON LICENSING S.A. et al.

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary examination report and its annexes, if any, established on the international application.
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.

4. REMINDER

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices) (Article 39(1)) (see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

Event	DPF
Deadline	16 NOV 2001
Entered	DPF 10/18/01

Final Country Selection to David

Name and mailing address of the IPEA/

European Patent Office
D-80298 Munich
Tel. +49 89 2399 - 0 Tx: 523656 epmu d
Fax: +49 89 2399 - 4465

Authorized officer

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PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference RCA89650	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/US00/17374	International filing date (day/month/year) 23/06/2000	Priority date (day/month/year) 16/07/1999
International Patent Classification (IPC) or national classification and IPC H04N5/445		
Applicant THOMSON LICENSING S.A. et al.		



1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 5 sheets, including this cover sheet.

☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

 These annexes consist of a total of sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☒ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 14/02/2001	Date of completion of this report 12.10.2001
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized officer de Dieuleveult, A Telephone No. +49 89 2399 8946 

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. PCT/US00/17374

I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, pages:

1-7 as originally filed

Claims, No.:

1-12 as originally filed

Drawings, sheets:

1/1 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. PCT/US00/17374

☐ the drawings, sheets:

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes:	Claims	2-4,6-8,10-12
	No:	Claims	1,5,9
Inventive step (IS)	Yes:	Claims	
	No:	Claims	1-12
Industrial applicability (IA)	Yes:	Claims	1-12
	No:	Claims	

2. Citations and explanations
see separate sheet

VII. Certain defects in the international application

The following defects in the form or contents of the international application have been noted:
see separate sheet

V. Reasoned statement

1. Reference is made to the following documents:

D1: WO-A-99/16247 (SARNOFF CORP) 1 April 1999

D2: WO-A-99/35833 (AMIGA DEV LLC) 15 July 1999

2. Claim 1:

Document D1 discloses a method of performing a channel search in a video processing apparatus (10-70) having at least two video inputs (see tuners 10A and 10B) and coupled to a display device (see page 7, lines 10-11), said method comprising:

determining a currently selected video input of the at least two video inputs (see p. 5, l. 22-29);

detecting available channels from various possible channels on only the currently selected video input (see p. 6, l. 14-17); and

updating a channel list of channels available for the currently selected video input (see p. 15, l. 26-27).

Consequently, the claimed subject-matter is not new with respect to D1.

3. Claims 5 and 9:

The same objection likewise applies to these corresponding apparatus claims.

4. Claims 2-4, 6-8 and 10-12:

These dependent claims do not appear to comprise any additional features that would render their subject-matter new and inventive over the available prior art. In particular, having the two video inputs fed with different video streams is readily seen in D2 (see p. 6, l. 4-7).

Therefore, these claims fail together with the independent claims for lack of novelty, or at least for lack of inventive step.

VII. Certain defects

1. Although claims 5 and 9 have been drafted as separate independent claims, they appear to relate effectively to the same subject-matter and to differ from each other only with regard to the definition of the subject-matter for which protection is

sought and/or in respect of the terminology used for the features of that subject-matter. The aforementioned claims therefore lack conciseness. Moreover, lack of clarity of the claims as a whole arises, since the plurality of independent claims makes it difficult, if not impossible, to determine the matter for which protection is sought, and places an undue burden on others seeking to establish the extent of the protection.

Hence, claims 5 and 9 do not meet the requirements of Article 6 PCT.

In order to overcome this objection, it would appear appropriate to file an amended set of claims defining the relevant subject-matter in terms of a single independent claim in each category followed by dependent claims covering features which are merely optional (Rule 6.4 PCT).

2. Independent claims 1, 5 and 9 are not in the two-part form in accordance with Rule 6.3(b) PCT, which in the present case would be appropriate, with those features known in combination from the prior art (document D1) being placed in the preamble (Rule 6.3(b)(i) PCT) and with the remaining features being included in the characterising part (Rule 6.3(b)(ii) PCT).
3. The features of the claims are not provided with reference signs placed in parentheses (Rule 6.2(b) PCT).
4. Contrary to the requirements of Rule 5.1(a)(ii) PCT, the relevant background art disclosed in the document D1 is not mentioned in the description, nor is this document identified therein.
5. The vague and imprecise statement in the description on page 7, lines 23-29 implies that the subject-matter for which protection is sought may be different to that defined by the claims and should therefore be removed (see the PCT Guidelines PCT/GL/3 III, 4.3a).
6. Since there is only one single drawing, the texts "Corresponding ... views" and "the drawings ... to" on page 3, lines 22/23 and 27 should be deleted.